

JUN 28 2004

**INFORMATION DISCLOSURE STATEMENT**

Applicant : Braig, et al.  
App. No. : 10/672,480  
Filed : September 26, 2003  
For : METHOD FOR TRANSFORMING  
PHASE SPECTRA TO ABSORPTION  
SPECTRA  
Examiner : Unknown  
Group Art Unit : 3736

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 59 references, copies of 9 of which are enclosed.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 24, 2004

By: Mark Kertz

Mark J. Kertz  
Registration No. 43,711  
Attorney of Record  
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|   |                                   |                               |
|---|-----------------------------------|-------------------------------|
| FORM PTO-1449<br><b>U.S. DEPARTMENT OF COMMERCE<br/>PATENT AND TRADEMARK OFFICE</b><br><br><b>INFORMATION DISCLOSURE STATEMENT<br/>BY APPLICANT</b><br><br><b>JUN 28 2004</b><br><b>(USE SEVERAL SHEETS IF NECESSARY)</b> | ATTY. DOCKET NO.<br>OPTIS.043C1   | APPLICATION NO.<br>10/672,480 |
|   | APPLICANT<br>Braig, et al.        |                               |
|   | FILING DATE<br>September 26, 2003 | GROUP<br>3736                 |

## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE     | NAME               | CLASS | SUBCLASS | FILING DATE (IF APPROPRIATE) |
|------------------|-----------------|----------|--------------------|-------|----------|------------------------------|
| 1                | 3,770,958       | 11/06/73 | Krakow             |       |          |                              |
| 2                | 4,665,225       | 05/12/97 | Frihart            |       |          |                              |
| 3                | 4,819,752       | 04/11/89 | Zelin              |       |          |                              |
| 4                | 4,882,492       | 11/21/89 | Schlager           |       |          |                              |
| 5                | 4,866,276       | 09/12/89 | Leavens, et al.    |       |          |                              |
| 6                | 4,927,264       | 05/22/90 | Shiga et al.       |       |          |                              |
| 7                | 5,009,230       | 04/23/91 | Hutchinson         |       |          |                              |
| 8                | 5,028,787       | 07/02/91 | Rosenthal          |       |          |                              |
| 9                | 5,059,394       | 10/22/91 | Phillips, et al.   |       |          |                              |
| 10               | 5,070,242       | 12/03/91 | McClelland, et al. |       |          |                              |
| 11               | 5,070,974       | 12/10/91 | Barnes, et al.     |       |          |                              |
| 12               | 5,115,133       | 05/19/92 | Knudson            |       |          |                              |
| 13               | 5,137,023       | 08/11/92 | Mendelson et al.   |       |          |                              |
| 14               | 5,146,091       | 09/08/92 | Knudson            |       |          |                              |
| 15               | 5,187,672       | 02/16/93 | Chance et al.      |       |          |                              |
| 16               | 5,209,231       | 05/11/93 | Cote et al.        |       |          |                              |
| 17               | 5,297,548       | 03/29/94 | Pologe             |       |          |                              |
| 18               | 5,313,941       | 05/24/94 | Braig, et al.      |       |          |                              |
| 19               | 5,324,979       | 06/28/94 | Rosenthal          |       |          |                              |
| 20               | 5,337,745       | 08/16/94 | Benaron            |       |          |                              |
| 21               | 5,360,004       | 11/01/94 | Purdy et al.       |       |          |                              |
| 22               | 5,361,758       | 11/08/94 | Hall et al.        |       |          |                              |
| 23               | 5,377,674       | 01/03/95 | Kuestner           |       |          |                              |
| 24               | 5,379,764       | 01/10/95 | Barnes, et al.     |       |          |                              |
| 25               | 5,430,542       | 07/04/95 | Shepherd           |       |          |                              |
| 26               | 5,448,992       | 09/12/95 | Kupershmidt        |       |          |                              |
| 27               | 5,515,847       | 05/14/96 | Braig, et al.      |       |          |                              |

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| EXAMINER   | DATE CONSIDERED |
| *EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. |                 |

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|------------------|-----------------|----------|-------------------|-------|----------|------------------------------|
| 28               | 5,606,164       | 02/25/97 | Price, et al.     |       |          |                              |
| 29               | 5,615,672       | 04/01/97 | Braig, et al.     |       |          |                              |
| 30               | 5,657,754       | 08/19/97 | Rosencwaig        |       |          |                              |
| 31               | 5,692,503       | 12/02/97 | Kuenstner         |       |          |                              |
| 32               | 5,747,806       | 05/05/98 | Khalil, et al.    |       |          |                              |
| 33               | 5,770,454       | 06/23/98 | Essenpreis et al. |       |          |                              |
| 34               | 5,823,677       | 10/20/98 | Forester, et al.  |       |          |                              |
| 35               | 5,877,500       | 03/02/99 | Braig, et al.     |       |          |                              |
| 36               | 5,900,632       | 05/04/99 | Sterling, et al.  |       |          |                              |
| 37               | 6,002,953       | 12/14/99 | Block             |       |          |                              |
| 38               | 6,025,597       | 02/15/00 | Sterling, et al.  |       |          |                              |
| 39               | 6,049,081       | 04/11/00 | Sterling, et al.  |       |          |                              |
| 40               | 6,072,180       | 06/06/00 | Kramer, et al.    |       |          |                              |
| 41               | 6,097,975       | 08/01/00 | Petrovsky, et al. |       |          |                              |
| 42               | 6,119,026       | 09/12/00 | McNulty et al.    |       |          |                              |
| 43               | 6,157,041       | 12/05/00 | Thomas, et al.    |       |          |                              |
| 44               | 6,161,028       | 12/12/00 | Braig, et al.     |       |          |                              |
| 45               | 6,196,046       | 03/06/01 | Braig, et al.     |       |          |                              |
| 46               | 6,198,949       | 03/06/01 | Braig, et al.     |       |          |                              |
| 47               | 6,246,892       | 06/12/01 | Chance            |       |          |                              |
| 48               | 6,264,622       | 07/24/01 | Augustine         |       |          |                              |
| 49               | 6,580,934       | 06/17/03 | Braig et al.      |       |          |                              |
| 50               | 2002/0019022    | 02/14/02 | Dunn et al.       |       |          |                              |

## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
|------------------|-----------------|------|---------|-------|----------|-------------|
|                  |                 |      |         |       |          | YES         |
|                  |                 |      |         |       |          | NO          |

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|                          |                 |          |         |       |          | YES         | NO |
| 51                       | 0 160 768       | 11/13/85 | EPO     |       |          |             |    |
| 52                       | WO 96/01075     | 01/18/96 | PCT     |       |          |             |    |
| 53                       | WO 00/53085     | 09/14/00 | PCT     |       |          |             |    |
| 54                       | WO 01/30236     | 05/03/01 | PCT     |       |          |             |    |

| EXAMINER<br>INITIAL | OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)   |  |
|---------------------|--|--|
| 55                  | Klonoff, et al., <i>Mid-Infrared Spectroscopy for Noninvasive Blood Glucose Monitoring</i> ,<br><a href="http://www.ieee.org/organizations/pubx/newsletters/leos/apr98/midinfr">http://www.ieee.org/organizations/pubx/newsletters/leos/apr98/midinfr</a> , April, 1998, pp. 1-3 |  |
| 56                  | K. Robinson, <i>Noninvasive Methods Hover on Horizon</i> , Biophotonics International, May/June 1998, pp. 48-52  |  |
| 57                  | McNichols, et al., <i>Optical Glucose sensing in biological fluids: an overview</i> , Journal of Biomedical Optics, January 2000, Vol. 5, No. 1, pp. 5-9   |  |
| 58                  | Zheng, et al., <i>Noninvasive Glucose Determination by Oscillating Thermal Gradient Spectrometry</i> , Diabetes Technology & Therapeutics, Volume 2, Number 1, 2000, pp. 17-25   |  |
| 59                  | Optics Report, <i>Glucometry and Diabetes</i> , pub. by Breault Research Organization, <a href="http://www.OpticsReport.com">www.OpticsReport.com</a> , Volume 1, Issue 2, May 2001, pp. 1-4   |  |

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